

3. (Amended) The nucleic acid vector of claim 1, wherein the p5 promoter is AAV5 p5 promoter.

4. (Amended) The nucleic acid vector of claim 1, further comprising an exogenous nucleic acid functionally linked to the promoter.

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5. (Amended) The nucleic acid vector of claim 1, encapsidated in an adeno-associated virus particle.

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30. (Amended) The nucleic acid of claim 46, having the nucleic acid sequence set forth in SEQ ID NO:7.

31. (Amended) The nucleic acid of claim 46, having the nucleic acid sequence set forth in SEQ ID NO:8.

32. (Amended) The nucleic acid of claim 46, having the nucleic acid sequence set forth in SEQ ID NO:9.

Please add the following new claims:

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46. A nucleic acid vector comprising an AAV5-specific nucleic acid or a nucleic acid encoding an AAV5-specific protein, wherein the AAV5-specific nucleic acid is selected from the group consisting of an AAV5 inverted terminal repeat and an AAV5 p5 promoter, and wherein the nucleic acid encoding an AAV5-specific protein encodes an AAV5-specific protein selected

from the group consisting of AAV5 VP1, AAV5 VP2 and AAV5 VP3, AAV5 capsid, AAV5 Rep40, AAV5 Rep52, AAV5 Rep68 and AAV5 Rep78.

47. A nucleic acid vector of claim 46, comprising a nucleic acid encoding an AAV5 capsid protein selected from the group consisting of AAV5 VP1, AAV5 VP2, and AAV5 VP3.

48. The nucleic acid vector of claim 47, wherein the AAV5 capsid protein has the amino acid sequence set forth in SEQ ID NO: 4.

49. The nucleic acid vector of claim 47, wherein the AAV5 capsid protein has the amino acid sequence set forth in SEQ ID NO: 5.

50. The nucleic acid vector of claim 47, wherein the AAV5 capsid protein has the amino acid sequence set forth in SEQ ID NO: 6.

51. A nucleic acid vector of claim 46, comprising a nucleic acid encoding an AAV5 Rep protein selected from the group consisting of Rep40, Rep52, Rep68 and Rep78.

52. The nucleic acid vector of claim 51, wherein the AAV5 Rep protein has the amino acid sequence set forth in SEQ ID NO: 2.

53. The nucleic acid vector of claim 51, wherein the AAV5 Rep protein has the amino acid sequence set forth in SEQ ID NO: 3.

54. The nucleic acid vector of claim 51, wherein the AAV5 Rep protein has the amino acid sequence set forth in SEQ ID NO: 12.

55. The nucleic acid vector of claim 51, wherein the AAV5 Rep protein has the amino acid sequence set forth in SEQ ID NO: 14.

56. A nucleic acid vector of claim 46, comprising a pair of AAV5 inverted terminal repeats.

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57. The nucleic acid vector of claim 56, wherein the AAV5 inverted terminal repeat has the nucleotide sequence set forth in SEQ ID NO: 19.

58. The nucleic acid vector of claim 56, wherein the AAV5 inverted terminal repeat has the nucleotide sequence set forth in SEQ ID NO: 12.

Please cancel claims 13-45 without prejudice.

REMARKS

Claims 1-12 are pending after the cancellation of claims 13-45 without prejudice.

Claims 1-5 are amended to depend from new claim 46, and in case of claim 5 for non-substantive reasons. New claims 46-57 are submitted herein and their entry is respectfully requested.

Support for new claims 46-57 is found throughout the specification and claims as filed, more